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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/847,044	05/02/2001	Mark A. Kampe	80168-0101

CONFIRMATION NO. 5220

24633  
HOGAN & HARTSON LLP  
IP GROUP, COLUMBIA SQUARE  
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WASHINGTON, DC 20004

## FORMALITIES LETTER



\*OC00000006227903\*

Date Mailed: 06/26/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/15/2001 SDIRETA1 00000035 09847044

FILED UNDER 37 CFR 1.53(b)

740.00 OP  
130.00 OP01 FC:101  
02 FC:105

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 840.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Section 4  
PATENT  
ATTORNEY DOCKET NO.: 80168-0101  
Client Matter No. P5091

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

Mark A. KAMPE *et al.*

Application No.: 09/847,044

Filing Date: May 2, 2001

For: CLUSTER MEMBERSHIP MONITOR

Commissioner for Patents  
Washington, D.C. 20231  
Attn: Box Missing Parts

RESPONSE TO NOTICE TO FILE MISSING PARTS

This is in response to the Notice to Filing Missing Parts, dated June 26, 2001, in the above-identified application.

1. Three Combined Declarations and Power of Attorneys



Enclosed.

This application was filed without an executed Declaration and Power of Attorney.

2. Assignment



An assignment of the invention to Sun Microsystems, Inc. and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.



An assignment will be filed at a later date.

10/15/2001 SDIRETA1 00000035 09847044

03 FC116

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3. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$740.00 Design \$330.00
Total Claims (37 C.F.R. §1.16(c))	15 - 20 =	0	\$ 18.00 each=	+\$ 0
Independent Claims (37 C.F.R. §1.16(b))	3 - 3 =	0	\$ 84.00 each=	+ \$ 0
Multiple dependent claim(s), if any (37 C.F.R. §1.16(d))			\$ 280.00	+
SUB-TOTAL =				\$ 740.00
Surcharge under 37 C.F.R. § 1.16(e)			\$ 130.00	\$130.00
Reduction by 1/2 for filing by a small entity				-\$
TOTAL FILING FEE =				\$ 870.00

4. ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>Fee for Small Entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input type="checkbox"/> three months	\$ 920.00	\$ 460.00
<input type="checkbox"/> four months	\$1,440.00	\$ 720.00
<input type="checkbox"/> five months	\$1,960.00	\$ 985.00

Extension of time fee due with this request: \$400.00

5. Fee Payment

- ☒ Enclosed.  
A check in the amount of \$1,270.00 is enclosed: \$740.00 for the filing fee, \$400.00 for the second month extension of time; and \$130.00 surcharge as set forth in 37 C.F.R. 1.16(e).

☒ If an Assignment is being filed as noted in paragraph 2 above, a separate check in the amount of \$40.00 is enclosed.

☐ Authorization is given to charge \$ \_\_\_\_\_ to Deposit Account 50-1349 for the fees due as specified above.

6. ☒ **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3)

7. Other

- ☐ Information Disclosure Statement  
☐ PTO-1449, \_\_ documents as listed  
☐ Preliminary Amendment  
☐ Claim for Priority  
☐ Certified copy of Priority Document  
☐ Sequence Listing

If there are any questions regarding the above-captioned patent application, please contact applicant's representative at the number given below.

Respectfully submitted,

**HOGAN & HARTSON LLP**

Dated: October 12, 2001

**HOGAN & HARTSON LLP**

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By: 

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